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Lead Defense Counsel for Personal Injury/Wrongful Death Cases

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
(SOUTHERN DIVISION – SANTA ANA)

In Re: Toyota Motor Corp. Unintended  
Acceleration Marketing, Sales Practices,  
and Products Liability Litigation

This document relates to:

CV 10- 01917 JVS (FMOx)

Case No. 8:10ML02151 JVS (FMOx)

Assigned to: Hon. James V. Selna  
Discovery: Mag. Fernando M. Olguin

NOTICE OF ERRATA

Date: August 22, 2011  
Time: 1:30 p.m.  
Dept.: 10C

PLEASE TAKE NOTICE that counsel for defendant Toyota Motor North America, Inc.  
erroneously omitted Exhibit 1 and Exhibit 2 from its Reply to Plaintiffs' Memorandum in

1 Opposition to Defendant Toyota Motor North America, Inc.'s Motion to Dismiss for Insufficient  
2 Service of Process electronically filed on August 8, 2011 (document 1666). Attached hereto  
3 are Exhibits 1 and 2.  
4

5  
6 Dated: August 9, 2011.

Respectfully submitted,

7 TOYOTA MOTOR NORTH AMERICA, INC.  
8

9 By /s/ Todd J. Hartley  
10 Todd J. Hartley  
11

12 **OF COUNSEL:**

13 David L. Ayers (MSB No. 1670)  
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23 **CERTIFICATE OF SERVICE**

24 I hereby certify that on August 9, 2011, I electronically filed the foregoing  
25 with the Clerk of the Court using the ECF system which sent notification of such filing to  
26 all counsel of record.  
27

28 s/Todd J. Hartley  
Todd J. Hartley

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION

BYRON HAWES, ON BEHALF OF HIS MINOR CHILD  
KIERSTEN HAWES, AND MALCOLM HAWES

PLAINTIFFS

V.

CIVIL ACTION NO. 2:10CV150-B-A

TOYOTA MOTOR NORTH AMERICA, INC.;  
TOYOTA MOTOR ENGINEERING &  
MANUFACTURING NORTH AMERICA, INC.;  
AND TOYOTA MOTOR SALES, U.S.A., INC.

DEFENDANTS

ORDER

WHEREAS the Parties have submitted a Consent Motion to Stay Pending Transfer of Case to MDL No. 2151 by the Judicial Panel on Multidistrict Litigation (the "Motion");

WHEREAS, the Court has reviewed the Motion and the Exhibits attached thereto;

WHEREAS, the Court finds good cause for granting the Motion;

It is therefore ORDERED that this action, including without limitation (1) all scheduling deadlines pursuant to the Federal Rules of Civil Procedure, Local Rules of the United States District Court for the Northern District of Mississippi and this Honorable Court, (2) discovery, and (3) the deadline to answer or otherwise respond to Plaintiffs' Complaint, is stayed pending a ruling by the Judicial Panel on Multidistrict Litigation ("JPML") concerning the transfer of this action for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. In the event that the stay of this case is lifted, the Toyota Defendant shall have twenty-one (21) days from the Court's Order lifting the stay to answer, move, or otherwise plead in response to Plaintiffs' Complaint.

IT IS SO ORDERED.

This 7<sup>th</sup> day of October, 2010.



/s/ Neal Biggers

NEAL B. BIGGERS, JR.  
SENIOR U.S. DISTRICT JUDGE

**Todd Hartley**

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**From:** Nick Rockforte [nrockforte@pbclawfirm.com]  
**Sent:** Friday, May 13, 2011 9:52 AM  
**To:** Todd Hartley  
**Subject:** Hawes v. Toyota

Todd:

I'm following up on our conversation yesterday concerning the prescription issue you raised. Our position is that the filing of a federal complaint alone tolls the statute of limitations and service is irrelevant. I think that you will find that the case law heavily supports this conclusion.

Although, we fully discussed the service issue yesterday, I'm open to further discussion. In order to ameliorate this concern, we would hope that you would entertain a waiver of service for the Toyota defendant at issue.

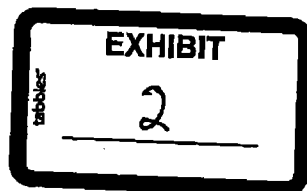
Considering the favorable case law, we would have no choice but to oppose your motion to dismiss. Please contact me on Monday when you return if you would like to discuss.

Thanks,

Nick

Nicholas R. Rockforte  
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8/2/2011